

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 57th LEGISLATURE - REGULAR SESSION JOINT APPROPRIATIONS SUBCOMMITTEE ON LONG RANGE PLANNING

Call to Order: By **CHAIRMAN MATT MCCANN**, on January 16, 2001 at 8:00 A.M., in Room 350 Capitol.

ROLL CALL

Members Present:

Rep. Matt McCann, Chairman (D)
Sen. Tom A. Beck (R)
Rep. Dave Kasten (R)

Members Excused: Sen. Bob Keenan, Vice Chairman (R)
Rep. Steve Vick (R)

Members Absent: Sen. Jon Tester (D)

Staff Present: Jane Hamman, OBPP
Andrea Hyatt, Committee Secretary
Brian McCullough, Legislative Branch
Jon Moe, Legislative Branch
Christi Tyson, OBPP

Please Note: These are summary minutes. Testimony and discussion are paraphrased and condensed.

Committee Business Summary:

Hearing(s) & Date(s) Posted: HB 6, 1/11/2001; HB 8,
1/11/2001

Executive Action:

{Tape : 1; Side : A; Approx. Time Counter : 005}

CHAIRMAN MCCANN opened the hearing for the **RRGL PROJECT NO. 28, PG. 84, LOWER WILLOW CREEK DRAINAGE LOWER WILLOW CREEK DAM REHABILITATION.**

Proponents' Testimony:

Bob Fischer, DNRC, reviewed the project and recommendation.

Dave Hauptman, President, Lower Willow Creek Drainage District, described the history and background of the project.

Laurence Siroky, Bureau Chief of Dam Safety, discussed the high risk of failure and further background on the project.

Opponents' Testimony: None.

Questions from Committee Members and Responses:

REP. KASTEN questioned the rate per acre. **SEN. TESTER** asked the number of people living below the dam; could this have been done earlier and cheaper; what crops produced in the area. **Dave Hauptman** and **Laurence Siroky** responded. **CHAIRMAN MCCANN** had questions about cost per acre and loan debt and the extreme debt service. **Dave Hauptman** and **Bob Fischer** responded. **SEN. BECK** suggested they plan for worse case scenario; **SEN. TESTER** asked about zero percent loan and the economic viability of the project. **Dave Hauptman** responded. **Bob Fischer** will also provide the committee a summary on this project.

CHAIRMAN MCCANN closed the hearing for the **RRGL PROJECT NO. 28, PG. 84, LOWER WILLOW CREEK DRAINAGE LOWER WILLOW CREEK DAM REHABILITATION.**

CHAIRMAN MCCANN opened the hearing for **RRGL PROJECT NO. 29, PG. 87 CITY OF DEER LODGE CLARK FORK RIVER WATER QUALITY.**

{Tape : 1; Side : A; Approx. Time Counter : 398}

Proponents' Testimony:

Bob Fischer DNRC, reviewed the project and recommendation.

Lyle Gillette, Mayor of Deer Lodge, described the history and background of the project.

{Tape : 1; Side : B; Approx. Time Counter : 0}

REP. ALLEN ROME, HD 56, is in support of the project and funding.

Connie Turnis Daniels, Regional Economic Development Planner for Headwaters RC&D, Butte. They provide technical assistance to eight counties in Southwest Montana; she **prepared the grant.** She provided information about the dangers and importance of the project.

SEN. BECK, SD 28, goes on record as being in favor of the project.

Becky Beard, Deer Lodge is her county seat, she is in favor of the funding.

Opponents' Testimony: None.

Questions from Committee Members and Responses:

REP. KASTEN questioned the rates per month. **SEN. TESTER** questioned the new construction; number of people on system now; plan for growth. **Lyle Gillette** and **Bob Fischer** responded. **SEN. BECK** questioned about the industrial area. **CHAIRMAN MCCANN** questioned the construction. **Bob Fischer** and **Lyle Gillette** responded.

CHAIRMAN MCCANN closed the hearing for **RRGL PROJECT NO. 29, PG. 87 CITY OF DEER LODGE CLARK FORK RIVER WATER QUALITY**.

CHAIRMAN MCCANN opened the hearing for the **RRGL PROJECT NO. 32, PG. 95, WISDOM SEWER DISTRICT WASTEWATER SYSTEM IMPROVEMENTS**.

{Tape : 1; Side : B; Approx. Time Counter : 162}

Proponents' Testimony:

Pam Smith, DNRC, reviewed the project and recommendation.

Stewart Fitzgerald, chairman of the **Wisdom Sewer District**, provided background and history of the project.

Garth Haugland, Beaverhead County Commissioner, spoke in favor of funding.

Donna Sevalstad, Beaverhead County Commissioner, in favor of funding.

Connie Turnis Daniels, Regional Planner for Headwaters RC&D, worked on grant application, in favor of funding.

Rick Hartz, County Planner for Beaverhead County, described the effects on the Big Hole.

Opponents' Testimony: None.

Questions from Committee Members and Responses:

Brian McCullough, questioned their plans for moving forward if they do not receive CBDG funding. **Bob Fischer** responded.

CHAIRMAN MCCANN questioned the costs for paying fines to Department of Environmental Quality. **Stuart Fitzgerald, Garth Haugland** and **Donna Sevalstad** responded.

CHAIRMAN MCCANN closed the hearing for the **RRGL PROJECT NO. 32, PG. 95, WISDOM SEWER DISTRICT WASTEWATER SYSTEM IMPROVEMENTS.**

CHAIRMAN MCCANN opened the hearing on the **RRGL PROJECT NO. 25, PG. 76, TOWN OF CLYDE PARK WATER SYSTEM IMPROVEMENTS.**

{Tape : 1; Side : B; Approx. Time Counter : 439}

Proponents' Testimony:

Pam Smith, DNRC, reviewed the project and recommendation.

{Tape : 2; Side : A; Approx. Time Counter : 0}

Alice Hartman, mayor, spoke in favor of funding and introduced people in the audience: **Becky Beard**, grant writer, **Craig JennesKens**, **Robert Peccia & Associates**. She discussed the location, history and the project.

Craig JennesKens, engineer with Robert Peccia & Associates, in favor of funding.

Becky Beard, Beard Environmental & Technical Assistance, in favor of funding.

REP. KASTEN read a letter in favor of funding from **Don Elliott, Chrysler Corporation**.

Opponents' Testimony: None.

Questions from Committee Members and Responses:

CHAIRMAN MCCANN questioned what they needed to get started and the water rights issue. **Bob Fischer** and **Alice Hartman** responded.

CHAIRMAN MCCANN closed the hearing on the **RRGL PROJECT NO. 25, PG. 76, TOWN OF CLYDE PARK WATER SYSTEM IMPROVEMENTS.**

CHAIRMAN MCCANN opened the hearing for the **RRGL PROJECT WITH NO RANK, PG. 195, TOWN OF LIMA WATER SYSTEM IMPROVEMENTS.**

{Tape : 2; Side : A; Approx. Time Counter : 110}

Proponents' Testimony:

Bob Fischer, DNRC, reviewed the project and recommendation. He further commented this is their second time around.

Bill Anderson, Anderson Consulting Engineer, helped write the grant request, provided a visual presentation and two handouts: 1) a two page fact sheet; **EXHIBIT(jlh12a01)** and 2) an aerial picture of Lima and the water project. **EXHIBIT(jlh12a02)**

Virgil Brinkman, council member, provided background information on the project and in support of the project.

Garth Haugland, county commissioner, is in support of the project.

Donna Sevalstad, Beaverhead county commissioner, is in support of the project.

Opponents' Testimony: None.

SEN. TESTER questioned the various lines on the visual. **Bob Fischer** responded. **Bill Anderson** provided further details of the engineering study. **CHAIRMAN MCCANN** questioned the rates. **Virgil Brinkman** and **Bill Anderson** responded. **Bob Fischer** supplied more details about project. **Bill Anderson** provided the history of the project. **Virgil Brinkman** asked if funds were available if the system fails; **CHAIRMAN MCCANN** responded. **Bob Fischer** described the avenues in case of emergency.

CHAIRMAN MCCANN closed the hearing for the **RRGL PROJECT WITH NO RANK, PG. 195, TOWN OF LIMA WATER SYSTEM IMPROVEMENTS.**

CHAIRMAN MCCANN opened the hearing on the **RRGL PROJECT NO. 14, PG. 48, GLEN LAKE IRRIGATION DISTRICT THERRIAULT CREEK POINT OF DIVERSION.**

{Tape : 2; Side : A; Approx. Time Counter : 408}

Proponents' Testimony:

Pam Smith, DNRC, reviewed the project and recommendation.

Dan March, Land and Water Consulting, put the grant together and represents the Glen Lake Irrigation District. He provided the history and problems regarding the project.

Opponents' Testimony: None.

Questions from Committee Members and Responses:

Jane Hamman questioned the comparison of rates. Bob Fischer and Pam Smith responded.

CHAIRMAN MCCANN closed the hearing on the RRGL PROJECT NO. 14, PG. 48, GLEN LAKE IRRIGATION DISTRICT THERRIAULT CREEK POINT OF DIVERSION.

CHAIRMAN MCCANN opened the hearing on the RRGL PROJECT NO. 52, PG. 146, GLEN LAKE IRRIGATION DISTRICT COSTICH DROP IMPROVEMENTS PROJECT.

{Tape : 2; Side : A; Approx. Time Counter : 501}

Proponents' Testimony:

Bob Fischer, DNRC, reviewed the project and recommendation.

{Tape : 2; Side : B; Approx. Time Counter : 0}

John Schwarz, representing the Glen Lake Irrigation District, provided the history and background of the project.

Opponents' Testimony: None.

Questions from Committee Members and Responses:

CHAIRMAN MCCANN questioned the funding. Brian McCullough questioned the previous work. John Schwarz responded. Bob Fischer and John Schwarz provided more history background. CHAIRMAN MCCANN questioned the location problem. REP. KASTEN questioned the technical approach. John Schwarz responded.

CHAIRMAN MCCANN closed the hearing on the RRGL PROJECT NO. 52, PG. 146, GLEN LAKE IRRIGATION DISTRICT COSTICH DROP IMPROVEMENTS PROJECT.

CHAIRMAN MCCANN opened the hearing on the RRGL PROJECT NO. 60, PG. 166, TOWN OF TROY WATER SYSTEM IMPROVEMENTS.

{Tape : 2; Side : B; Approx. Time Counter : 131}

Proponents' Testimony:

Pam Smith, DNRC, reviewed the project and recommendation.

Opponents' Testimony: None.

Questions from Committee Members and Responses: None.

CHAIRMAN MCCANN closed the hearing on the RRGL PROJECT NO. 60, PG. 166, TOWN OF TROY WATER SYSTEM IMPROVEMENTS.

CHAIRMAN MCCANN opened the hearing on the RRGL PROJECT NO. 61, PG. 168, BUTTE SILVER BOW BASIN CREEK DAMS; JOINT WITH TSEP PROJECT NO. 36, PG. 231.

{Tape : 2; Side : B; Approx. Time Counter : 154}

Proponents' Testimony:

Bob Fischer, DNRC, reviewed the project and recommendation.

Nick Rich, DOC-TSEP, reviewed the project and recommendation.

Dave Schultz, Engineer and Manager, Water Division, provided background on the project. He supplied a 4 page fact sheet on the project. **EXHIBIT**(j1h12a03)

Opponents' Testimony: None.

Questions from Committee Members and Responses:

SEN. BECK, CHAIRMAN MCCANN, SEN. TESTER had questions. Dave Schultz responded.

CHAIRMAN MCCANN closed the hearing on the RRGL PROJECT NO. 61, PG. 168, BUTTE SILVER BOW BASIN CREEK DAMS; JOINT WITH TSEP PROJECT NO. 36, PG. 231.

CHAIRMAN MCCANN opened the hearing on the RRGL PROJECT NO. 17, PG. 56, CHARLO SEWER DISTRICT WASTEWATER SYSTEM IMPROVEMENTS; JOINT WITH TSEP PROJECT NO. 27, PG. 181.

{Tape : 2; Side : B; Approx. Time Counter : 273}

Proponents' Testimony:

Pam Smith, DNRC, reviewed the project and recommendation.

Nick Rick, DOC-TSEP, reviewed the project and recommendation.

Pat Kelly, Charlo Sewer Board, provided background information and history on the project.

Scott Anderson, Anderson Montgomery Engineering, worked on the project and provided information on the project.

Opponents' Testimony: None

Questions from Committee Members and Responses:

SEN. TESTER questioned the rates, CBDG funding, alternative grants. **Scott Anderson** responded. **SEN. BECK, CHAIRMAN MCCANN** and **Brian McCullough** questioned funding. **Scott Anderson** responded. **REP. KASTEN** questioned the cost of sludge. **Pat Kelly** responded. **Bob Fischer** provided further information.

CHAIRMAN MCCANN closed the hearing on the **RRGL PROJECT NO. 17, PG. 56, CHARLO SEWER DISTRICT WASTEWATER SYSTEM IMPROVEMENTS; JOINT WITH TSEP PROJECT NO. 27, PG. 181.**

CHAIRMAN MCCANN opened the hearing on the **RRGL PROJECT NO. 15, PG. 50, CITY OF WHITEFISH WASTEWATER - WASTEWATER AND LAGOON IMPROVEMENTS; JOINT TSEP PROJECT NO. 22, PG. 157.**

{Tape : 2; Side : B; Approx. Time Counter : 479}

Proponents' Testimony:

Bob Fischer, DNRC, reviewed the project and recommendation.

{Tape : 3; Side : A; Approx. Time Counter : 0}

Nancy Guccione, DOC-TSEP, reviewed the project and recommendation.

Gary Marks, City Manager of City of Whitefish, provided background on the project and stated there were others in the audience representing their city.

Scott Anderson, did the **engineering report** and provided details of the project.

John Wilson, Public Works Director, Whitefish, provided further background on the project.

Opponents' Testimony: None.

Questions from Committee Members and Responses:

SEN. TESTER and **SEN. BECK** questioned funding. **Bob Fischer** responded.

CHAIRMAN MCCANN closed the hearing on the **RRGL PROJECT NO. 15, PG. 50, CITY OF WHITEFISH WASTEWATER - WASTEWATER AND LAGOON IMPROVEMENTS; JOINT TSEP PROJECT NO. 22, PG. 157.**

CHAIRMAN MCCANN opened the hearing for **TSEP PROJECT NO. 23, PG. 161, CITY OF CHOTEAU WASTEWATER IMPROVEMENT PROJECT.**

{Tape : 3; Side : A; Approx. Time Counter : 93}

Proponents' Testimony:

Nick Rich, DOC-TSEP, reviewed the project and recommendation.

Roger Kelley, Mayor of Choteau, provided the history and background of the project. He stated that if they can upgrade their water system they will be able to bring in the business of Malt Montana Company. Most of the community and the entire city council is in favor of this funding.

Leona Huidekoper, Administrative Assistant, City of Choteau, provided financial information for the project.

REP. RICK RIPLEY, HD 50, is in favor of the funding.

Scott Anderson, Anderson Consulting Engineers, worked on the grant and engineering. He described the problems in detail.

Opponents' Testimony: None.

Questions from Committee Members and Responses:

SEN. TESTER had questions on the sludge timeline. **Scott Anderson** responded.

CHAIRMAN MCCANN closed the hearing for **TSEP PROJECT NO. 23, PG. 161, CITY OF CHOTEAU WASTEWATER IMPROVEMENT PROJECT.**

CHAIRMAN MCCANN opened the hearing for the **RRGL PROJECT NO. 36, PG. 106, CITY OF CHOTEAU WATER SYSTEM IMPROVEMENTS.**

{Tape : 3; Side : A; Approx. Time Counter : 250}

Proponents' Testimony:

Bob Fischer, DNRC, reviewed the project and recommendation.

Roger Kelly, Mayor of Choteau, discussed the funding and history of the project.

Leona Huidekoper, Administrative Assistant, City of Choteau, discussed the history and rates.

REP. LARRY LEHMAN, HD 87, is in support of the funding.

Scott Anderson, Anderson Consulting Engineers, worked on the grant (only), described in detail the project.

Opponents' Testimony: None.

Questions from Committee Members and Responses:

SEN. TESTER questioned funding. **Bob Fischer** responded. **CHAIRMAN MCCANN** questioned the water line break. **Scott Anderson** responded. **Roger Kelly** provided information on the soils and aquifer. **Bob Fischer** provided further history on the leaks.

CHAIRMAN MCCANN closed the hearing for the **RRGL PROJECT NO. 36, PG. 106, CITY OF CHOTEAU WATER SYSTEM IMPROVEMENTS.**

CHAIRMAN MCCANN opened the hearing for the **RRGL PROJECT NO. 56, PG. 157, BUTTE SILVER BOW ELIMINATION OF COMBINED SEWERS.**

{Tape : 3; Side : A; Approx. Time Counter : 459}

Proponents' Testimony:

Pam Smith, DNRC, reviewed the project and recommendation.

Dave Schultz, Engineer and Manager, Water Division, provided information on the project and clarified the use of the funds.

Opponents' Testimony: None.

{Tape : 3; Side : B; Approx. Time Counter : 0}

Questions from Committee Members and Responses:

REP. KASTEN questioned funding. **CHAIRMAN MCCANN** questioned how critical it is to do this project. **Dave Schultz** responded.

CHAIRMAN MCCANN closed the hearing for the **RRGL PROJECT NO. 56, PG. 157, BUTTE SILVER BOW ELIMINATION OF COMBINED SEWERS.**

CHAIRMAN MCCANN opened the hearing for the **RRGL PROJECT NO. 47, PG. 133, CHARLO WATER DISTRICT NEW WATER WELL.**

{Tape : 3; Side : B; Approx. Time Counter : 33}

Proponents' Testimony:

Bob Fischer, DNRC, reviewed the project and recommendation. He stated he had received a call that they would not show up since they were not receiving any funding.

Opponents' Testimony: None.

Questions from Committee Members and Responses:

CHAIRMAN MCCANN questioned the use of a steel storage tank. **Jane Hamman** questioned the feasibility of the project. **Bob Fischer** responded.

CHAIRMAN MCCANN closed the hearing for the **RRGL PROJECT NO. 47, PG. 133, CHARLO WATER DISTRICT NEW WATER WELL.**

CHAIRMAN MCCANN opened the hearing for the **RRGL PROJECT NO. 10, PG. 37, CITY OF WHITEFISH LIMNOLOGY STUDY OF WHITEFISH LAKE.**

{Tape : 3; Side : B; Approx. Time Counter : 77}

Proponents' Testimony:

Pam Smith, DNRC, reviewed the project and recommendation.

Bill Leonard, Whitefish Wastewater & Sewer District, described the project and history of the area.

Ed Lieser, Whitefish Wastewater & Sewer District, supports the funding and will contribute in kind the data support efforts. The project will also benefit the school district by having school students involved in this project.

Richard Stevens, Whitefish Sewer Board, described the development around the land and the concern for potential health hazard.

John Wilson, Public Works Director-Whitefish, discussed the importance of the funding and that the City of Whitefish depends on the lake.

Opponents' Testimony: None.

Questions from Committee Members and Responses:

REP. KASTEN questioned if they received funding from Fish Wildlife & Parks. **Bill Leonard** responded how they have been working with many organizations and businesses in the area

coordinating their efforts toward this project. **CHAIRMAN MCCANN** questioned the history of the area, water samples, cost of the study. **Bill Leonard** responded and that Jack Stanford from the Yellow Bay Limnology Station will be doing the study.

CHAIRMAN MCCANN closed the hearing for the **RRGL PROJECT NO. 10, PG. 37, CITY OF WHITEFISH LIMNOLOGY STUDY OF WHITEFISH LAKE.**

CHAIRMAN MCCANN opened the hearing for the **RRGL PROJECT NO. 42, PG. 122, CITY OF WHITEFISH-WHITEFISH CITY BEACH.**

{Tape : 3; Side : B; Approx. Time Counter : 385}

Proponents' Testimony:

Pam Smith, DNRC, reviewed the project and recommendation.

Gary Marks, City Manager, provided background information on the project. He provided a 5 page handout entitled "Whitefish Beach Stabilization Project". **EXHIBIT(jlh12a04)**

Dan Kaiser Director of Parks and Recreation, City of Whitefish, representing the Park Board, stated the importance of receiving the funding.

Dan March, Whitefish Park Board, discussed the history of the project and the plans on how to repair the damage, he provided a aerial picture of the beach. **EXHIBIT(jlh12a05)**

John Wilson, as a **citizen** and lifetime visitor to the area, he is in favor of the funding. He further stated that the Parks Department depends on the general fund and that the money is no longer there.

Bill Leonard, as a **citizen and taxpayer,** he is in favor of the funding and explained that many residents are lifetime homeowners and not the new wealth that has moved to the area.

Opponents' Testimony: None.

Questions from Committee Members and Responses:

REP. KASTEN questioned if there would be a problem in getting a permit for the ramp and if they have an alternative plan. **Dan March** responded. **Jane Hamman** asked if they could increase the "in kind". **Dan March** responded.

CHAIRMAN MCCANN closed the hearing for the **RRGL PROJECT NO. 42,**
PG. 122, CITY OF WHITEFISH-WHITEFISH CITY BEACH.

The meeting adjourned.

ADJOURNMENT

Adjournment: 11:50 A.M.

REP. MATT MCCANN, Chairman

ANDREA HYATT, Secretary

MM/AH

EXHIBIT (j1h12aad)